

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**ESTES EXPRESS LINES**  
3901 West Broad Street  
Richmond, Virginia 23230

Plaintiff

V.

HARVARD CHEMICAL RESEARCH, INC.  
Seaford Industrial Park  
105 Park Avenue  
Seaford, Delaware 19973

Defendant

## CIVIL ACTION

NO. 1:06-cv-00131

**REQUEST FOR ENTRY  
DEFAULT PURSUANT TO  
RULE 55(a)**

**ELECTRONICALLY FILED**

Plaintiff Estes Express Lines (“Estes”) hereby requests that the Clerk enter a default against defendant Harvard Chemical Research, Inc. (“Harvard”), pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. In support of its request, Estes states the following:

New Castle was properly served by process server on March 3, 2006. A copy of the Return of Service is attached as Exhibit "A" to this Request.

As of the date of the filing of this Request, counsel has not entered their appearance on behalf of Harvard, nor has Harvard filed an answer, a motion to dismiss, a motion for summary judgment, or any other responsive pleading.

WHEREFORE, plaintiff Estes Express Lines requests the Clerk to enter a default against defendant Harvard Chemical Research, Inc. pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Respectfully submitted,

SILVERMAN, McDONALD &  
FRIEDMAN

By: /s/: Brian E. Lutness  
Brian E. Lutness, Esquire  
DE Bar ID: 3572  
1010 North Bancroft Parkway, Suite 22  
Wilmington, DE 19805  
Telephone: (302) 888-2900  
Fax: (302) 888-2923

E-mail: lutness@juno.com

OF COUNSEL:

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E-mail: cmountain@janssenkeen.com

Attorneys for Plaintiff  
Estes Express Lines

Dated: August 23, 2006

# **EXHIBIT A**

UNITED STATES DISTRICT COURT

District of Delaware

ESTES EXPRESS LINES  
3901 West Broad Street  
Richmond, Virginia 23230  
V.

SUMMONS IN A CIVIL CASE

HARVARD CHEMICAL RESEARCH, INC.  
Seaford Industrial Park  
105 Park Avenue  
Seaford, Delaware 19973

CASE NUMBER: 06 131 -

TO: (Name and address of Defendant)

HARVARD CHEMICAL RESEARCH, INC.  
Seaford Industrial Park  
105 Park Avenue  
Seaford, Delaware 19973

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Brian Lutness, Esquire  
SILVERMAN, McDONDAL & FRIEDMAN  
1010 North Bancroft Parkway, Suite 22  
Wilmington, DE 19805

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK



(By) DEPUTY CLERK

FEB 28 2006

DATE

## RETURN OF SERVICE

Service of the Summons and complaint was made by me(I)	DATE 3/3/06
NAME OF SERVER (PJ/JT) GRANVILLE MORRIS	TITLE SPECIAL PROCESS SERVER

*Check one box below to indicate appropriate method of service*

☐ Served personally upon the defendant. Place where served: \_\_\_\_\_

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

☐ Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☒ Other (specify): SERVED: HARVARD CHEMICAL RESEARCH, INC AT 105 PARK AVE. SEAFORD, DE  
COPIES THEREOF WERE ACCEPTED BY TINA DENNIS

## STATEMENT OF SERVICE FEES

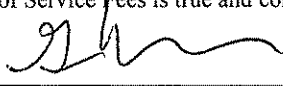
TRAVEL	SERVICES	TOTAL
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## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 3/3/06

Date

  
Signature of Server

BRANDYWINE PROCESS SERVERS, LTD.  
P.O. BOX 1360  
WILMINGTON, DE 19899-1360  
302- 475-2600

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ESTES EXPRESS LINES	:	
3901 West Broad Street	:	
Richmond, Virginia 23230	:	CIVIL ACTION
	:	
Plaintiff	:	NO. 1:05-cv-00670-KAJ
	:	
v.	:	
	:	
NEW CASTLE TRUCK REPAIR AND	:	REQUEST FOR ENTRY OF
MANUFACTURING, INC.	:	DEFAULT PURSUANT TO
1009 River Road	:	RULE 55(a)
New Castle, Delaware 19720	:	
	:	ELECTRONICALLY FILED
Defendant	:	

**CERTIFICATE OF SERVICE**

This is to certify that on June 16, 2006, a copy of the foregoing Request for Entry of Default Pursuant to Rule 55(a) was filed electronically.

I hereby certify that on June 16, 2006, a true and correct copy of the foregoing Request for Entry of Default Pursuant to Rule 55(a) was served by U.S. first class mail, postage prepaid, upon the following:

Harvard Chemical Research, Inc.  
Seaford Industrial Park  
105 Park Avenue  
Seaford, Delaware 19973

By: /s/ Brian E. Lutness  
Brian E. Lutness, Esquire  
DE Bari ID: 3572  
SILVERMAN, McDONALD &  
FRIEDMAN  
1010 North Bancroft Parkway, Suite 22  
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Telephone: (302) 888-2900  
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